

Transportation Interim

June 14, 2023



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Utility Relocation



Utility Relocation - Background



H.B. 322 Public Transit Capital Development Modifications

Bill Text		Status	Hearings/Debate	
Printer Friendly		H.B. 322		
1	PUBLIC TRANSIT CAPITAL DEVELOPMENT		<div>Bill Sponsor:  Rep. Christofferson, Kay J.</div> <div>Floor Sponsor:  Sen. Cullimore, Kirk A.</div>	
2	MODIFICATIONS			
3	2022 GENERAL SESSION			

- Gave UDOT the responsibility to do transit capital development for UTA when state funds are used for a fixed guideway project (bus rapid transit, light rail, FrontRunner)
- Required UDOT to make a plan to assume this new responsibility
 - Transit staff and expertise
 - Expand current powers/authority to include transit projects

Utility Relocation - Background

S.B. 185 Transportation Amendments

Bill Text	Status	Hearings/Debate
Printer Friendly	S.B. 185	<div data-bbox="1727 436 2053 801">Bill Sponsor:  Sen. Harper, Wayne A.</div> <div data-bbox="2053 436 2440 801">Floor Sponsor:  Rep. Christofferson, Kay J.</div>
1	TRANSPORTATION AMENDMENTS	
2	2023 GENERAL SESSION	
3	STATE OF UTAH	

- SB 185 was numbered and made public on February 6, 2023
- Original version included amendments to [Section 72-6-116](#), dealing with utility relocation for UDOT highway construction projects
- Amendments sought to treat utility relocation the same for all UDOT transportation projects regardless of project type (highway/transit)
- Those representing utilities expressed concerns
 - Additional utility relocation costs
 - Lack of opportunity to provide input
- UDOT met with utility representatives during the session and agreed to ask the sponsor to remove Section 72-6-116 from the bill with the understanding the issue would be studied during the interim

Utility Relocation - Status Quo

Utah Code Section [72-6-116](#)

- UDOT makes final determination on whether utilities are relocated
- UDOT reimburses relocation at 100% if the utility is:
 - Owned by political subdivision or exempt water supplier;
 - Land/easement owner; or
 - Located in public easement
- Except as listed above, UDOT reimburses utility relocation at 50% for all state highway projects with the exception of telecommunications facilities in the interstate right-of-way

Utility Relocation - 50 State Survey

- All states provide some form of reimbursement for utility relocation when the utility has a property interest, a prior right, or a specific easement
- 34 states have specific reimbursement provisions for the relocation of publicly owned utilities that are in the state right-of-way
 - Requirements and reimbursement amounts vary
 - Publicly owned utilities may be eligible for reimbursement under other general provisions
- Do states reimburse for relocation of privately owned utilities that are in the state right-of-way by permit?

Almost Never	Sometimes	Almost Always
27 states	17 states	6 states (Utah)

